

United States District Court

District of New Mexico

UNITED STATES OF AMERICA

V.

Raymond Sandoval

Judgment in a Criminal Case

(For Offenses Committed On or After November 1, 1987)

Case Number: 1:03CR00271-001LHDefense Attorney: Floyd Lopez, Retained

THE DEFENDANT:

pleaded guilty to count(s) **I, II, VI and VII of Indictment**
 pleaded nolo contendere to count(s) , which was accepted by the court.
 was found guilty of count(s) after a plea of not guilty.

ACCORDINGLY, the court has adjudicated that the defendant is guilty of the following offense(s):

<u>Title and Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
26 U.S.C. Sec. Unlawful Making of a Destructive Device 5861(f)		03/1999	I
26 U.S.C. Sec. Possession of an Unregistered Firearm 5861(d)		03/19/1999	II

Counts continued on next page

The defendant is sentenced as provided in pages 1 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

The defendant has been found not guilty on counts(s) .
 Count(s) **III, IV, & V of Indictment** are dismissed on the motion of the United States.

IT IS FURTHER ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant's Soc. Sec. No.:	<u>525-35-8235</u>	<u>10/07/03</u>
Defendant's Date of Birth:	<u>09/11/1966</u>	Date of Imposition of Judgment
Defendant's USM No.:	<u>21722-051</u>	
Defendant's Residence Address:	<u>219 McCurdy Rd</u>	<u>/s/ C. LeRoy Hansen</u>
	<u>Santa Cruz, NM 87567</u>	Signature of Judicial Officer

Defendant's Mailing Address (if different from residence):
P O Box 141
Santa Cruz, NM 87567

Honorable C. LeRoy Hansen
United States District Judge

Name and Title of Judicial Officer

10/08/03
Date

Defendant: Raymond Sandoval
Case Number: 1:03CR00271-001LH

ADDITIONAL COUNTS OF CONVICTION

<u>Title and Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 U.S.C. Sec. 1855	Willfully Setting an Unauthorized Fire on United States Forest Service Land or on an Indian Reservation	06/27/1998	VI
18 U.S.C. Sec. 1361	Willfully Injuring the Property of the United States	06/27/1998	VII

Defendant: **Raymond Sandoval**
Case Number: **1:03CR00271-001LH**

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of **84 months**.

A term of 84 months is imposed as to each of Counts I, II and VII; said terms shall run concurrently. A term of 60 months is imposed as to Count VI; said term shall run concurrently to the terms imposed in Counts I, II and VII, for a total term of 84 months.

The court makes the following recommendations to the Bureau of Prisons:

**Safford FCI, Safford, Arizona or La Tuna FCI Anthony, New Mexico-Texas
The Court recommends the defendant participate in the Bureau of Prisons 500 hour drug and alcohol treatment program.**

The defendant is remanded to the custody of the United States Marshal.
 The defendant shall surrender to the United States Marshal for this district:
 at a.m./p.m. on
 as notified by the United States Marshal.
 The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:
 before 2 p.m. on
 as notified by the United States Marshal.
 as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgement as follows:

Defendant delivered on _____ to _____
_____ at _____, with a Certified copy of this judgment.

UNITED STATES MARSHAL

Deputy U.S. Marshal

Defendant: Raymond Sandoval
Case Number: 1:03CR00271-001LH

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 3 years.

This term is imposed as to each of Counts I, II, VI and VII; said terms shall run concurrently.

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state, or local crime.

The defendant shall not illegally possess a controlled substance.

For offenses committed on or after September 13, 1994:

The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.

- The above drug testing condition is suspended based on the courts determination that the defendant possesses a low risk of future substance abuse. (Check, if applicable.)
- The defendant shall not possess a firearm or destructive device. (Check, if applicable).

If this judgment imposes a fine or a restitution obligation, it shall be a condition of probation that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). The defendant shall also comply with the additional conditions on the attached page (if indicated below).

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall obtain and maintain full time, legitimate employment, or attend a vocational or academic training program throughout the term of supervised release as directed by the probation officer;
- 6) the defendant shall notify the probation officer ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement;
- 14) the defendant shall not possess dangerous weapons.

Defendant: Raymond Sandoval
Case Number: 1:03CR00271-001LH

SPECIAL CONDITIONS OF SUPERVISION

The defendant must participate in and successfully complete a substance abuse treatment program which may include drug testing, outpatient counseling, or residential placement.

The defendant must refrain from the use and possession of alcohol and other forms of intoxicants. He must not frequent places where alcohol is the primary item for sale.

The defendant must participate in and successfully complete a mental health treatment program, which may include outpatient counseling, residential placement, or prescribed medication as approved by the probation officer.

Defendant: Raymond Sandoval
Case Number: 1:03CR00271-001LH

CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments.

Remitted

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
Totals:	<u>\$400</u>	<u>\$</u>	<u>\$3,433,983.77</u>

SCHEDULE OF PAYMENTS

Payments shall be applied in the following order (1) assessment; (2) restitution; (3) fine principal; (4) cost of prosecution; (5) interest; (6) penalties.

Payment of the total fine and other criminal monetary penalties shall be due as follows:

The defendant will receive credit for all payments previously made toward any criminal monetary penalties imposed.

A in full immediately; or
B \$ immediately, balance due (see special instructions regarding payment of criminal monetary penalties).

Special instructions regarding the payment of criminal monetary penalties:

Criminal monetary penalties are to be made payable by cashier's check, bank or postal money order to the U.S. District Court Clerk, 333 Lomas Blvd. NW, Albuquerque, New Mexico 87102 unless otherwise noted by the court. Payments must include defendant's name, current address, case number and type of payment.

A special assessment of \$100 is imposed as to each of Counts I, II, VI and VII, for a total of \$400.

Pursuant to the Mandatory Victims Restitution Act of 1996, restitution in the amount of \$3,433,983.77 shall be disbursed to: United States Forest Service, Santa Fe National Forest, 1474 Rodeo Road, Santa Fe, New Mexico 87502-7114.

Unless the court has expressly ordered otherwise in the special instructions above, if this judgment imposes a period of imprisonment, payment of criminal monetary penalties shall be due during the period of imprisonment. All criminal monetary penalty payments, except those payments made through the Bureau of Prisons' Inmate Financial Responsibility Program, are to be made as directed by the court, the probation officer, or the United States attorney.